

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**FREDDIE T. MCLAURIN,**

Plaintiff,

**-vs-**

**Case No. 16-CV-7**

**WRC MAIL ROOM and  
WRC PROPERTY ROOM,**

Defendants.

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**DECISION AND ORDER**

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On March 11, 2016, the Court screened the original complaint and directed the plaintiff to file an amended complaint clarifying his claims. This matter is before the Court to screen the plaintiff's amended complaint. *See* 28 U.S.C. § 1915A.

By way of background, the plaintiff's original complaint appeared to allege that the Wisconsin Resource Center (WRC) mail room censored his mail, which implicated the plaintiff's rights under the First Amendment. However, the Court determined that the plaintiff's Property Room allegations were not clear as to whether the property (razor, toothbrush, stamped envelopes, grease, bath powder, knee brace, foot bowl) was the plaintiff's, and whether it was fully confiscated or whether he was allowed to use it at certain times. Thus, the Court directed the plaintiff to clarify

his Property Room allegations. The Court also advised the plaintiff that he could not sue WRC Mail Room and WRC Property Room. The Court directed the plaintiff to name individual defendants in his amended complaint and, if he did not know the names of individual defendants, to name John Doe or Jane Doe defendants so that he could identify the individual defendants at a later date.

The plaintiff's amended complaint alleges:

I'm Freddie T. Mclaurin Jr. 276129 still having problems with the mail room and property room which they are still refusing me my mail and property for no reason and all they is doing with my mail and property is shooting it in the trash which is wrong. No they haven't told me nothing about it or why come they did it. And they think that they are getting away with it.

I would like to sue the mail room and property room for 599,000 for this if we can have this settle in court.

(Docket No. 10 at 2-3.) The plaintiff also indicates that this occurred "last year."

The plaintiff's allegations are sparse but they are enough at this point to indicate that he wants to sue WRC property and mail room staff for allegedly confiscating his mail and property without reason. Moreover, because he apparently does not know the names of any individual defendants, he will need to use discovery to learn the names of the defendants individually involved in his claims. The plaintiff did not name

John or Jane Doe defendants as directed. But the Court will allow him to proceed on First Amendment and Fourteenth Amendment claims because it would not make a difference at this stage whether the defendants are John/Jane Doe(s) or WRC Mail Room/Property Room.

Under these circumstances, the Seventh Circuit has directed that the Court may “allow the case to proceed to discovery against high-level administrators with the expectation that they will identify the officials personally responsible[.]” *Donald v. Cook Cnty. Sheriff’s Dep’t*, 95 F.3d 548, 556 (7th Cir 1996). Therefore, the Court will order service of the amended complaint on Wisconsin Resource Center Director Byran Bartow. Director Bartow shall notify the Court once he has been served. At that time, the Court will set deadlines for the plaintiff to conduct limited discovery as to the names of the “WRC Mail Room” and “WRC Property Room” defendants, and to file a second amended complaint. Once individual defendants have been identified, the Court will dismiss Director Bartow.

### **ORDER**

**NOW, THEREFORE, BASED ON THE FOREGOING, IT IS HEREBY ORDERED THAT** pursuant to an informal service agreement between the Wisconsin Department of Justice and this Court, copies of plaintiff’s amended complaint (Docket 10) and this order are being

electronically sent today to the Wisconsin Department of Justice for service on Wisconsin Resource Center Director Byran Bartow.

**IT IS ALSO ORDERED** that Director Bartow shall notify the Court once he has been served.

**IT IS ALSO ORDERED** that Wisconsin Resource Center Director Byran Bartow's involvement in this case is limited to identification of the defendants and that he will be dismissed once the "WRC Mail Room" and "WRC Property Room" defendants have been named.

Dated at Milwaukee, Wisconsin, this 5th day of May, 2016.

**BY THE COURT:**

  
**HON. RUDOLPH T. RANDA**  
**U.S. District Judge**